



House of Representatives

General Assembly

File No. 375

February Session, 2010

Substitute House Bill No. 5450

House of Representatives, April 7, 2010

The Committee on Public Health reported through REP. RITTER of the 38th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING EXPEDITED PARTNER THERAPY FOR SEXUALLY TRANSMITTED DISEASES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-14e of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2010*):

4 (a) A drug dispensed by a prescribing practitioner shall be
5 personally dispensed by the prescribing practitioner and the
6 dispensing of such drug shall not be delegated except that, in
7 emergency departments of acute care hospitals licensed under chapter
8 368v, the tasks related to dispensing such drug may be carried out by a
9 nurse licensed pursuant to chapter 378 under the supervision of the
10 prescribing practitioner.

11 (b) A patient's medical record shall include a complete record of any
12 drug dispensed by the prescribing practitioner.

13 (c) A prescribing practitioner dispensing a drug shall package the
14 drug in containers approved by the federal Consumer Product Safety
15 Commission, unless requested otherwise by the patient, and shall label
16 the container with the following information: (1) The full name of the
17 patient; (2) the prescribing practitioner's full name and address; (3) the
18 date of dispensing; (4) instructions for use; and (5) any cautionary
19 statements as may be required by law.

20 (d) Professional samples dispensed by a prescribing practitioner
21 shall be exempt from the requirements of subsection (c) of this section.

22 (e) Notwithstanding the provisions of this section or chapter 400j, a
23 prescribing practitioner who diagnoses a sexually transmitted
24 chlamydia or gonorrhea infection in a patient may prescribe and
25 dispense oral antibiotic drugs to such patient and the patient's sexual
26 partner or partners without a physical examination of the sexual
27 partner or partners. A prescribing practitioner who prescribes or
28 dispenses oral antibiotic drugs to the sexual partner or partners of a
29 patient diagnosed with an infection of chlamydia or gonorrhea, in
30 accordance with the provisions of this subsection, shall not be deemed
31 to have violated the prescribing practitioner's standard of care for such
32 prescribing or dispensing. The Commissioner of Public Health, in
33 consultation with the Commissioner of Consumer Protection, may
34 adopt regulations, in accordance with chapter 54, to implement the
35 provisions of this subsection.

36 [(e)] (f) A prescribing physician or surgeon may dispense and sell
37 contact lenses that contain a drug, as defined in section 20-571, and
38 such physician or surgeon shall be exempt from the requirements of
39 subsection (c) of this section when dispensing or selling contact lenses.
40 As used in this subsection, "physician" means a person holding a
41 license issued pursuant to this chapter, except a homeopathic
42 physician.

43 [(f)] (g) A licensed optometrist, authorized to practice advanced
44 optometric care pursuant to section 20-127, who dispenses contact
45 lenses that contain ocular agents-T, as defined in subdivision (5) of

46 subsection (a) of section 20-127, shall be exempt from the requirements
 47 of subsection (c) of this section when dispensing or selling contact
 48 lenses.

49 Sec. 2. Subsection (a) of section 19a-216 of the general statutes is
 50 repealed and the following is substituted in lieu thereof (*Effective*
 51 *October 1, 2010*):

52 (a) Any municipal health department, state institution or facility,
 53 licensed physician or public or private hospital or clinic, may [examine
 54 and] provide treatment for venereal disease for a minor, if the
 55 physician or facility is qualified to provide such [examination and]
 56 treatment. The consent of the parents or guardian of the minor shall
 57 not be a prerequisite to the [examination and] treatment. The physician
 58 in charge or other appropriate authority of the facility or the licensed
 59 physician concerned shall prescribe an appropriate course of treatment
 60 for the minor. The fact of consultation, examination [and] or treatment
 61 of a minor under the provisions of this section shall be confidential and
 62 shall not be divulged by the facility or physician, including the sending
 63 of a bill for the services to any person other than the minor, except for
 64 purposes of reports under section 19a-215, and except that, if the minor
 65 is not more than twelve years of age, the facility or physician shall
 66 report the name, age and address of that minor to the Commissioner of
 67 Children and Families or [his] the commissioner's designee who shall
 68 proceed thereon as in reports under section 17a-101g.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2010</i>	20-14e
Sec. 2	<i>October 1, 2010</i>	19a-216(a)

PH Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which allows certain healthcare practitioners to prescribe and dispense oral antibiotics, without a physical examination, to sexual partners of patients diagnosed with a chlamydia or gonorrhea infection, does not result in a fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sHB 5450*****AN ACT CONCERNING EXPEDITED PARTNER THERAPY FOR SEXUALLY TRANSMITTED DISEASES.*****SUMMARY:**

This bill allows a prescribing practitioner who diagnoses a patient as having a sexually transmitted chlamydia or gonorrhea infection to prescribe and dispense oral antibiotics to (1) the patient and (2) the patient's sexual partner or partners. It allows the practitioner to do so without physically examining the patient's sexual partner or partners. A practitioner who prescribes or dispenses antibiotics in this manner is not in violation of the practitioner's standard of care.

It allows the public health commissioner, in consultation with the consumer protection commissioner, to adopt regulations to implement this provision.

The bill also allows municipal health departments, state facilities, physicians, and public or private hospitals and clinics to treat a minor for venereal disease without a physical examination (presumably leaving it to the discretion of the physician or facility). Current law allows physicians and facilities to provide such treatment with an examination.

Under current law, unchanged by the bill, these activities may be conducted without parental consent and must be kept confidential by the physician or health facility, including the sending of a bill for services, except for purposes of reporting cases of venereal disease to local health departments. (These reports are kept confidential.) But, if the minor treated for venereal disease is under age 12, the physician or facility must report his or her name, age, and address to the commissioner of children and families.

EFFECTIVE DATE: October 1, 2010

BACKGROUND***Prescribing Practitioner***

The law defines a “prescribing practitioner” as a physician, dentist, podiatrist, optometrist, physician assistant, advanced practice registered nurse, nurse-midwife, or veterinarian licensed in Connecticut to prescribe medicine within his or her scope of practice (CGS § 20-14c).

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 23 Nay 8 (03/24/2010)